

**UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF NEW YORK**

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BDO USA, LLP

Plaintiff,

Civil Action No. 20-cv-06168-(JPO)

v.

MATTHEW FRANZ and DONALD SOWELL,

Defendants.
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ORDER OF REMAND

WHEREAS

1. Plaintiff BDO USA, LLP commenced a civil action in the Supreme Court of the State of New York, County of New York, Index No. 652816/2020 (the “State Court Action”);
2. On August 6, 2020, Defendants timely filed a Notice of Removal on the grounds this Court has diversity subject matter jurisdiction under 28 U.S.C. § 1332(a)(1);
3. On August 7, 2020, this Court requested the filing of an Amended Notice of Removal no later than August 31, 2020 addressing if any partners of Plaintiff BDO USA, LLP is a citizen of the States of Washington or Texas;
4. Defendants have received confirmation from Plaintiff’s counsel that certain of Plaintiff’s partners are in fact citizens of the States of Washington and Texas;
5. Defendants have filed a letter motion with this Court withdrawing their Notice of Removal and have requested the Court remand the case back to the Commercial Division of the Supreme Court of the State of New York, County of New York;

IT IS HEREBY ORDERED AND ADJUDGED that Defendants request for remand is **GRANTED**. The Clerk is directed to remand this case to the Commercial Division of the Supreme Court of the State of New York, County of New York.

DONE AND ORDERED in New York, New York this 17th day of August, 2020.



J. PAUL OETKEN
United States District Judge